



Signed and Filed: February 18, 2020

DENNIS MONTALI
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

ORDER FOR FURTHER MEDIATION

The court believes the exigencies of these cases require further attempts by the appointed Mediator to assist certain parties to resolve differences, which unresolved, may adversely affect a successful effort by all to achieve confirmation of a chapter 11 plan by June 30, 2020.

Accordingly, the principal counsel for the Debtors and the counsel named below, and their respective clients'

1 representatives with settlement authority, are ordered to be
2 available on an expedited basis to meet when, where and as
3 directed by the Mediator, to in good faith in attempt to resolve
4 the following disputes:

- 5 1. The omnibus objection (Dkt. No. 5096) of the TCC to
6 claims filed by the California Governor's Office of
7 Emergency Services (Claim Nos. 87748, 87754 & 87755)
8 in the amount of approximately \$2.7 billion; the
9 opposition thereto by claimant (Dkt. No. 5743); any
10 related, but yet unfiled contested matter dealing with
11 the classification of those claims (see Dkt. No. 5743,
12 at fn. 2).
- 13 2. The omnibus objection (Dkt. No. 4943) of the TCC to
14 claims filed by The Department of Homeland
15 Security/Federal Emergency Management Agency (Claim
16 Nos. 59692, 59734 & 59783), in the amount of
17 approximately \$3.9 billion; joined by Debtors (Dkt.
18 No. 5639) and others (see Dkt. No. 5753, at fn. 1);
19 the opposition thereto by claimant (Dkt. No. 5753);
20 and any related issues that may arise between claimant
21 and Debtors as Plan Proponent regarding
22 classification.
- 23 3. The dispute between Debtors, joined by the TCC, and
24 opposed by counsel for Securities Lead Plaintiffs and
25 the Class regarding application of FRBP 7023 or the
26 extension of a claims bar date for certain persons
27 (See Tentative Ruling Regarding Motion to Apply Rule
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7023 (Dkt. No. 5604), Supplemental Briefs (Dkt. Nos. 5786 & 5787), and related submissions).

The issues presented in Paragraphs 1 and 2 are obviously related. It is up to the Mediator to decide whether to consider them together or separately. The issue presented in Paragraph 3 are unrelated to the other two and are joined in this order solely for convenience.

8 All of the terms and conditions of the engagement and
9 compensation of the Mediator in the Order Appointing Mediator
10 (Dkt. No. 4499) remain in effect.

END OF ORDER